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10/599,653	10/04/2006	Hiroshi Oomura	00862.109746.	2339

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EXAMINER	
PACHOL, NICHOLAS C	

ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/599,653	OOMURA, HIROSHI	
	Examiner	Art Unit	
	Nicholas C. Pachol	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 April 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *12-21 and 23-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *12-21 and 23-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *09/14/10*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 12-21 and 23-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 21 is objected to because of the following informalities: Claim 21 claims "...network-compatible Plug and Play function , said program comprising code ..." Claim 21 should claim "...network-compatible Plug and Play **function,** said program comprising code ..." Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 12-22 and 23-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishio (US 2002/0156947) in view of Kimber (US 5,903,716).

Regarding Claim 12, Nishio teaches a network device management apparatus which manages a network device that is connected to a network (Page 1, paragraph 2), where the network device has a plurality of print data generating functions (Page 2,

paragraph 28) and does not support any network-compatible Plug and Play function (Page 8, paragraphs 112 and 113), said apparatus comprising:

recognition means for recognizing that the network device does not support a network-compatible Plug and Play function (Page 8, paragraphs 112 and 113);

where each device ID includes at least information identifying the model, information indicating the manufacturer (Page 4, paragraph 60).

Nishio does not teach generating means generating a plurality of device IDs corresponding to the plurality of print data generating functions,

where each device ID includes at least information indicating one of the plurality of print data generating functions of the recognized network device, so that, in accordance with network-compatible supporting Plug and Play function, a client apparatus on the network can install a plurality of device drivers for controlling the plurality of print data generating functions of the network device recognized by said recognition means; and

response means for responding to the client apparatus using the plurality of device IDs generated by said generating means.

Kimber does teach generating means generating a plurality of device IDs corresponding to the plurality of print data generating functions (Column 2, lines 5-28 and lines 50-60, wherein the address and the information shown to the user are forms of device IDs. The print data generating functions can be the default configuration as well as the operating parameters),

where each device ID includes at least information indicating one of the plurality of print data generating functions of the recognized network device, so that, in accordance with network-compatible supporting Plug and Play function, a client apparatus on the network can install a plurality of device drivers for controlling the plurality of print data generating functions of the network device recognized by said recognition means (Column 2, lines 5-28 and lines 50-60, wherein, according to Nishio in paragraph 113, a legacy device is a device that does not support PNP); and

response means for responding to the client apparatus using the plurality of device IDs generated by said generating means (Column 2, lines 5-28 and lines 50-60).

Nishio and Kimber are combinable because they both teach accessing a printer across a network.

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to combine the teachings of Nishio with the teachings of Kimber for the purpose of operating a single printer in accordance with a plurality of default configurations (Kimber: Column 2, lines 5-14).

Regarding Claim 13, Nishio further teaches storage means for storing protocol information required to communicate with a network device (Page 4, paragraph 66).

Regarding Claim 14, Nishio further teaches control means for, when job information addressed to a virtual representation of the network device that supports the network-compatible Plug and Play function is received, acquiring an address and

protocol information of the corresponding network device from said storage means, converting the job information into the acquired protocol, and transmitting the converted information to the acquired address (Page 4, paragraph 66).

Regarding Claim 15, Nishio does not teach wherein the plurality of print data generating functions are functions of a plurality of different printer drivers that can generate print data which can be processed by the network device.

Kimber does teach wherein the plurality of print data generating functions are functions of a plurality of different printer drivers that can generate print data which can be processed by the network device (Column 3, lines 38-45 and Column 4, lines 8-16).

Nishio and Kimber are combinable because they both teach accessing a printer across a network.

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to combine the teachings of Nishio with the teachings of Kimber for the purpose of operating a single printer in accordance with a plurality of default configurations (Kimber: Column 2, lines 5-14).

Regarding Claim 16, Nishio further teaches search means for searching for a network device which does not support any network-compatible Plug and Play function (Page 8, paragraph 113); and

registration means for registering in said storage means a network address of a network device found by said search means, and information for specifying a protocol

used in a communication with the network device found by said search means (Page 8, paragraphs 113 and 114).

Regarding Claim 17, Nishio further teaches wherein said search means determines, as a network device group that does not support any network-compatible Plug and Play function, a network device group which remains after excluding network devices detected as a search result of a UPnP network protocol from a network device group detected by a search of an SNMP protocol (Page 8, paragraph 111 and 113).

Regarding Claim 18, Nishio further teaches wherein the network device is a network printer (Page 2, paragraph 28).

Regarding Claim 19, Nishio does not teach wherein, when the network device supports a plurality of printer languages, said response means responds as a logically independent network-compatible Plug and Play printer for each individual printer language.

Kimber does teach wherein, when the network device supports a plurality of printer languages, said response means responds as a logically independent network-compatible Plug and Play printer for each individual printer language (Column 2, lines 50-60).

Nishio and Kimber are combinable because they both teach accessing a printer across a network.

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to combine the teachings of Nishio with the teachings of Kimber for the purpose of operating a single printer in accordance with a plurality of default configurations (Kimber: Column 2, lines 5-14).

Regarding Claim 20, Nishio teaches a method of controlling a network device management apparatus which manages a network device that is connected to a network (Page 1, paragraph 2), where the network device has a plurality of print data generating functions (Page 2, paragraph 28) and does not support any network-compatible Plug and Play function (Page 8, paragraphs 112 and 113); said method comprising the steps of:

recognizing that the network device does not support a network-compatible Plug and Play function (Page 8, paragraphs 112 and 113);

where each device ID includes at least information identifying the model, information indicating the manufacturer (Page 6, paragraph 60).

Nishio does not teach said method comprising the steps of:

generating a plurality of device IDs corresponding to the plurality of print data generating functions (Column 2, lines 5-28 and lines 50-60, wherein the address and the information shown to the user are forms of device IDs. The print data generating functions can be the default configuration as well as the operating parameters),

where each device ID includes at least information indicating one of the plurality of print data generating functions of the recognized network device, so that, in

accordance with the network-compatible supporting Plug and Play function, a client apparatus on the network can install a plurality of device drivers for controlling the plurality of print data generating functions (Column 2, lines 5-28 and lines 50-60, wherein, according to Nishio in paragraph 113, a legacy device is a device that does not support PNP); and

responding to the client apparatus using the plurality of device IDs generated in said generating step (Column 2, lines 5-28 and lines 50-60).

Nishio and Kimber are combinable because they both teach accessing a printer across a network.

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to combine the teachings of Nishio with the teachings of Kimber for the purpose of operating a single printer in accordance with a plurality of default configurations (Kimber: Column 2, lines 5-14).

Regarding Claim 21, Nishio teaches a computer-readable storage medium (Page 8, paragraph 120), storing in executable form, a program for causing a computer to serve as a network device management apparatus which (Page 1, paragraph 9) manages a network device that is connected to a network (Page 2, paragraph 29), where the network device has a plurality of print data generating functions (Page 2, paragraph 28) and does not support any network-compatible Plug and Play function (Page 8, paragraphs 112 and 113), said program comprising code for performing the steps of:

recognizing that the network device does not support a network-compatible Plug and Play function (Page 8, paragraphs 112 and 113);

where each device ID includes at least information identifying the model, information indicating the manufacturer (Page 6, paragraph 60).

Nishio does not teach said program comprising code for performing the steps of:

generating a plurality of device IDs corresponding to the plurality of print data generating functions (Column 2, lines 5-28 and lines 50-60, wherein the address and the information shown to the user are forms of device IDs. The print data generating functions can be the default configuration as well as the operating parameters),

where each device ID includes at least information indicating one of the plurality of print data generating functions of the recognized network device, so that, in accordance with the network-compatible supporting Plug and Play function, a client apparatus on the network can install a plurality of device drivers for controlling the plurality of print data generating functions (Column 2, lines 5-28 and lines 50-60, wherein, according to Nishio in paragraph 113, a legacy device is a device that does not support PNP); and

responding to the client apparatus using the plurality of device IDs generated in said generating step (Column 2, lines 5-28 and lines 50-60).

Nishio and Kimber are combinable because they both teach accessing a printer across a network.

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to combine the teachings of Nishio with the teachings of Kimber

for the purpose of operating a single printer in accordance with a plurality of default configurations (Kimber: Column 2, lines 5-14).

Regarding Claim 23, Nishio further teaches storing protocol information required to communicate with a network device (Page 4, paragraph 66).

Regarding Claim 24, Nishio further teaches a control step of, when job information addressed to a virtual representation of the network device which supports the network-compatible Plug and Play function is received, acquiring an address and protocol information of the corresponding network device in said storing step, converting the job information into the acquired protocol, and transmitting the converted information to the acquired address (Page 4, paragraph 66).

Regarding Claim 25, Nishio does not teach wherein the functions are functions of a plurality of different printer drivers that can generate print data which can be processed by the network device.

Kimber does teach wherein the functions are functions of a plurality of different printer drivers that can generate print data which can be processed by the network device (Column 3, lines 38-45 and Column 4, lines 8-16).

Nishio and Kimber are combinable because they both teach accessing a printer across a network.

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to combine the teachings of Nishio with the teachings of Kimber for the purpose of operating a single printer in accordance with a plurality of default configurations (Kimber: Column 2, lines 5-14).

Regarding Claim 26, Nishio further teaches a search step of searching for a network device which does not support any network-compatible Plug and Play function (Page 8, paragraph 113); and

a registration step of registering in the storage means a network address of a network device found in said search step, and information for specifying a protocol used in a communication with the network device found in said search step (Page 8, paragraphs 113 and 114).

Regarding Claim 27, Nishio further teaches wherein said search step includes determining, as a network device group that does not support any network- compatible Plug and Play function, a network device group which remains after excluding network devices detected as a search result of a UPnP network protocol from a network device group detected by a search of an SNMP protocol (Page 8, paragraphs 111 and 113).

Regarding Claim 28, Nishio further teaches wherein the network device is a network printer (Page 3, paragraph 28).

Regarding Claim 29, Nishio does not teach wherein, when the network device supports a plurality of printer languages, said responding step includes responding as a logically independent network-compatible Plug and Play printer for each individual printer language.

Kimber does teach wherein, when the network device supports a plurality of printer languages, said responding step includes responding as a logically independent network-compatible Plug and Play printer for each individual printer language (Column 2, lines 50-60).

Nishio and Kimber are combinable because they both teach accessing a printer across a network.

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to combine the teachings of Nishio with the teachings of Kimber for the purpose of operating a single printer in accordance with a plurality of default configurations (Kimber: Column 2, lines 5-14).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas C. Pachol whose telephone number is 571-270-3433. The examiner can normally be reached on M-Thr, 8:00 a.m.- 4:00 p.m. (EST), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. C. P./
Examiner, Art Unit 2625

02/10/11

/TWYLER HASKINS/
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